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07 CV 11085

SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP

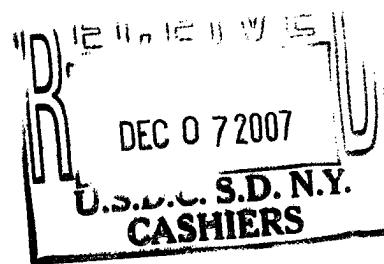
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Four Times Square  
New York, New York 10036  
(212) 735-3000

*Attorneys for Defendant Merrill Lynch & Co., Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
OPERATIVE PLASTERERS & CEMENT :  
MASONS LOCAL 262 PENSION AND :  
ANNUITY FUNDS, Derivatively On Behalf of:  
Nominal Defendant MERRILL LYNCH & :  
CO., INC., :  
:

07 CV \_\_\_\_\_



Plaintiff, :  
:

vs. :  
:

E. STANLEY O'NEAL, AHMASS L.  
FAKAHANY, GREGORY J. FLEMING,  
JEFFREY N. EDWARDS, CAROL T.  
CHRIST, ARMANDO D. CODINA, VIRGIS  
W. COLBERT, ALBERTO CRIBIORE, JOHN  
D. FINNEGAN, JUDITH MAYHEW JONAS,  
JOSEPH W. PRUEHER, ANN N. REESE,  
CHARLES O ROSOTTI,  
:

RULE 7.1 STATEMENT

Defendants, :  
:

and :  
:

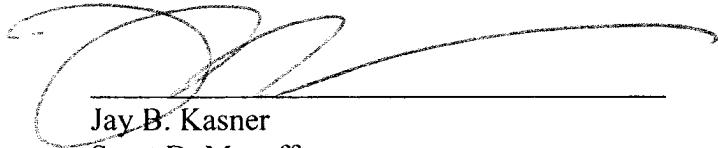
MERRILL LYNCH & CO., INC., :  
:

Nominal Defendant. :  
:

-----x

Defendant Merrill Lynch & Co., Inc. states that it is a publicly held company whose shares are traded on the New York Stock Exchange and there is no publicly held corporation that owns 10% or more of its stock.

Dated: New York, New York  
December 7, 2007



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